



# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

|                        |                   |
|------------------------|-------------------|
| Application Number     | 09/427,263        |
| Filing Date            | October 26, 1999  |
| First Named Inventor   | Richard H. Harvey |
| Art Unit               | 2162              |
| Examiner Name          | Shahid Al Alam    |
| Attorney Docket Number | 063170.6269       |

This is a Request for Continued Examination (RCE) under 37 C.F.R. 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

## 1. Submission required under 37 C.F.R. § 1.114

a. ☒ Previously submitted

i. ☒ Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on

August 28, 2006.

(Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

iii. ☐ Other \_\_\_\_\_

b. ☐ Enclosed

i. ☐ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. 1.117(i) required)

b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384

i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) in the amount of \$790.00

ii. ☐ Extension of time fee (37 C.F.R. 1.136 and 1.17). Applicant notes that the amendment was filed within two months of the date of the final Office Action. As of December 28, 2006, Applicant has not received an Advisory Action from the Examiner. Accordingly, pursuant to MPEP § 706.07(f), Applicant believes no extension fee is due. Nevertheless, the Commissioner is hereby authorized to charge any fees or credit any overpayment to Deposit Account No. 02-0384 of Baker Botts L.L.P.

iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$ 790.00 (RCE Fee) is enclosed.

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

|                     |                  |                                   |                   |
|---------------------|------------------|-----------------------------------|-------------------|
| Name (Print / Type) | Samir A. Bhavsar | Registration No. (Attorney/Agent) | 41,617            |
| Signature           |                  | Date                              | December 28, 2006 |

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1490, Alexandria, Virginia 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office shown below.

|                     |  |      |  |
|---------------------|--|------|--|
| Name (Print / Type) |  | Date |  |
| Signature           |  |      |  |